

## **806 KAR 17:160. Creditable coverage for health insurance.**

RELATES TO: KRS 304.17A-005(8), 304.17A-220(4), 26 C.F.R. 54.9801-1, 26 C.F.R. 54.9801-2, 26 C.F.R. 54.9801-5, 45 C.F.R. 146.113, 45 C.F.R. 146.113, 42 U.S.C. 300gg

STATUTORY AUTHORITY: KRS 304.2-110(1), 304.17A-220(7)(b)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) authorizes the executive director to promulgate administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code as defined in KRS 304.1-010. KRS 304.17A-220(7)(b) authorizes the executive director to specify how periods of creditable coverage shall be certified. This administrative regulation establishes the form that shall be used by insurers for certification of periods of creditable coverage.

Section 1. Definitions. (1) "Creditable coverage" is defined in KRS 304.17A-005(8).

(2) "Health benefit plan" is defined in KRS 304.17A-005(22).

Section 2. Creditable Coverage Certification. The certification for periods of creditable coverage with respect to an individual covered under:

(1) An individual health benefit plan shall be in the form provided in the Form HIPMC-CC1, Certificate of Individual Health Plan Coverage; and

(2) A group health benefit plan shall:

(a) Include the information as identified in 26 C.F.R. 54.9801-5(a)(3)(ii); or

(b) Be in the form, model certificate, as identified in 69 Fed. Reg. 78726, effective December 30, 2004.

Section 3. Incorporation by Reference. (1) Form HIPMC-CC1, "Certificate of Individual Health Plan Coverage", Kentucky Office of Insurance, January 2006 edition is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Insurance, 215 West Main Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. The material is also available on the office's Web site at: <http://doi.ppr.ky.gov/kentucky>. (25 Ky.R. 960; Am. 1363; eff. 12-17-98; 32 Ky.R. 1781; eff. 6-2-2006; TAm eff. 4-11-2008.)